




PATENT  
Docket No. 416272002220

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Lilly Yan

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Peggy G. Lemaux et al.

Serial No.: 09/552,252

Filing Date: April 18, 2000

For: COMPOSITIONS AND METHODS FOR  
PLANT TRANSFORMATION AND  
REGENERATION

Examiner: G. L. Helmer

Group Art Unit: 1638

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 08/845,939, filed April 29, 1997, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

12/10/2003 EAREGAY1 00000002 031952 09552252

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sf-1603496

This Information Disclosure Statement is submitted:

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - ☐ A fee is required. A check in the amount of \* is enclosed.
  - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of \* is enclosed.
  - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document or the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to

**Deposit Account No. 03-1952** referencing 416272002220. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: December 3, 2003

Respectfully submitted,

By:   
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Form PTO-1449

Docket Number 416272002220

Application Number 09/552,252

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Peggy G. Lemaux et al.

Filing Date April 18, 2000

Group Art Unit 1638

Mailing Date December 3, 2003



## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/1987	4,699,644	Brandt et al.			
	2.	11/1992	5,164,310	Smith et al.			
	3.	1/1994	5,281,529	Zhong et al.			
	4.	6/1994	5,320,961	Zhong et al.			
	5.	9/1994	5,350,688	Matsuno et al.			
	6.	4/1995	5,403,736	Tanimoto			
	7.	10/1996	5,565,355	Smith			
	8.	12/1996	5,589,617	Nehra et al.			
	9.	3/1997	5,610,042	Chang et al.			
	10.	6/1997	5,641,664	D'Halluin et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	11.	9/1993	0558676	EPO			
	12.	1/1989	04027466	Japan			
	13.	3/1994	07255304	Japan			
	14.	8/1995	07212183	Japan			
	15.	11/1992	WO92/20809	(WO)			
	16.	6/1994	WO94/13822	(WO)			
	17.	2/1996	WO96/04392	(WO)			

## OTHER DOCUMENTS

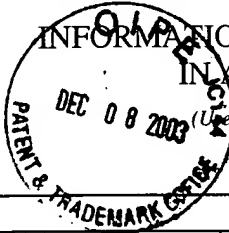
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Examiner Initials	Ref. No.	Title
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EXAMINER:

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Form PTO-1449		Docket Number 416272002220	Application Number 09/552,252
 <p>INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)</p>		Applicant  Peggy G. Lemaux et al.	
		Filing Date April 18, 2000	Group Art Unit 1638
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	18.	Purnhauser, Central Research Communication, 1991, vol. 19: 419-424.
	19.	Gless et al. (1998), "Transgenic Oat Plants Obtained at High Efficiency by Microprojectile Bombardment of Leaf Base Segments," J. Plant Physiol., 152:151-157.
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	35.	De Block et al., 1987, "Engineering herbicide resistance in plants by expression of a detoxifying enzyme," EMBO J., 6:2513-2518.
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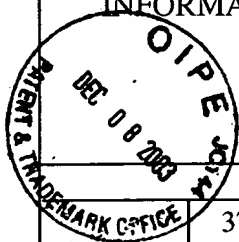
  

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37.	Fromm et al., 1986, "Stable transformation of maize after gene transfer by electroporation," Nature, 319:791-793.		
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54.	Salmenkallio-Marttila et al., 1995, "Transgenic barley (Hordeum vulgare L.) by		
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		Filing Date April 18, 2000	Group Art Unit I638
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